

AIR TRANSPORT SERVICES

Exchange of notes at Paris July 15, 1939, with text of agreement

Entered into force August 15, 1939

Supplemented by agreement of December 28 and 29, 1945 ¹

Superseded by agreement of March 27, 1946 ²

53 Stat. 2422; Executive Agreement Series 153

The American Ambassador to the Minister of Foreign Affairs

EMBASSY OF THE
UNITED STATES OF AMERICA
Paris, July 15, 1939

No. 1930

EXCELLENCY:

I have the honor to inform you that the Government of the United States of America desires to conclude with the Government of France a reciprocal arrangement in the following terms, governing the operation of air transport services of each country in territory of the other country.

AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND FRANCE FOR THE OPERATION OF AIR TRANSPORT SERVICES

ARTICLE 1

The Government of the United States of America agrees that aircraft of French registration belonging to French air carrier enterprises, holding proper authorization from the French Government, shall be permitted to operate into United States territory in the conduct of transatlantic air transport services carrying passengers, goods and mail, subject to the conditions hereinafter specified.

The Government of France agrees that aircraft of United States registration, belonging to United States air carrier enterprises, holding proper authorization from the Government of the United States, shall be permitted to operate into French territory in the conduct of transatlantic air transport services carrying passengers, goods and mail, subject to the conditions hereinafter specified.

¹ TIAS 1679, *post*, p. 1102.

² TIAS 1679, *post*, p. 1109.

The Government of the United States will accord to French air carrier enterprises a number of frequencies equal to that requested of the Government of France by the Government of the United States and accorded by the Government of France to the Government of the United States for use by the latter's air carrier enterprises engaged in transatlantic services with final points of destination in France; provided, that the number of such frequencies shall not be less than two round trips per week. The Government of France will also accord to the Government of the United States additional frequencies for use by its authorized air carrier enterprises engaged in transatlantic air services, with the right to fly into, through and away from France en route to and from a final point of destination in other countries, and on such additional frequencies to embark and disembark passengers, goods and mail in France.

The air carrier enterprises of each Party will be required to qualify before the competent aeronautical authorities of the other Party under its applicable laws before being permitted to engage in the operations contemplated in this agreement.

The terms of the permits, the airports to be used for the respective services, the routes or airways to be flown within the respective territories of the Parties between the designated airports, the frequency of schedules and other appropriate details of the conduct of the air transport services contemplated by this agreement shall be determined by the competent authorities of the Parties. Any permit issued by the competent aeronautical authorities for the air transport services contemplated hereunder shall be valid only so long as the holder thereof shall be authorized by its own government to engage in the service envisaged by such permit. The holding of such permit shall be subject to compliance by the holder with all applicable laws of the issuing government and with all valid rules, regulations and orders issued thereunder. Such permit may not be revoked for any other cause except on two years' notice, given by the issuing government to the other government.

Technical and commercial agreements may be entered into between the air transport enterprises authorized by the Governments of France and the United States to operate the services contemplated herein. Such agreements shall be subject to the approval of the competent authorities of the two Governments.

ARTICLE 2

The parties hereto agree not to impose any restrictions or limitations as to airports, routes, or connections with other transportation services, and facilities in general to be utilized within their respective territories which might be competitively or otherwise disadvantageous to the air carrier enterprises of the other Party.

ARTICLE 3

The aircraft operated by the United States air carrier enterprises shall conform at all times with the airworthiness requirements prescribed by the competent aeronautical authorities of the United States for aircraft employed in air transportation of the character contemplated by this agreement.

The aircraft operated by French air carrier enterprises shall conform at all times with the airworthiness requirements prescribed by the competent aeronautical authorities of France for aircraft employed in air transportation of the character contemplated by this agreement.

The competent aeronautical authorities of the Parties hereto may communicate with a view to bringing about uniformity of safety standards for the operations contemplated by this agreement and compliance therewith, and whenever the need therefor appears, the Parties may enter into an agreement prescribing such uniform safety standards.

ARTICLE 4

The matter of the transportation of mail shall be subject to agreement between the competent authorities of both Parties.

ARTICLE 5

The present agreement has been negotiated pursuant to the provisions of Article 4 of the air navigation arrangement between the United States and France, signed at Paris on July 15, 1939,³ and the operations contemplated hereunder shall be conducted subject to the applicable terms thereof.

ARTICLE 6

This agreement shall be subject to termination on two years' notice given by either Government to the other Government.

If the Government of France agrees to the foregoing provisions, I have the honor to suggest that the present note and Your Excellency's reply in similar terms, be regarded as constituting an arrangement between the two Governments which shall come into force on August 15, 1939.

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration.

WILLIAM C. BULLITT

His Excellency

Monsieur GEORGES BONNET,
Minister of Foreign Affairs,
Paris.

³ EAS 152, *ante*, p. 1034.

The Minister of Foreign Affairs to the American Ambassador

[TRANSLATION]

FRENCH REPUBLIC
MINISTRY OF FOREIGN AFFAIRS
A/R
Division of Administrative
Affairs and International Unions

PARIS, *July 15, 1939*

MR. AMBASSADOR:

I have the honor to acknowledge receipt of Your Excellency's note dated today and to inform you that the Government of the French Republic agrees that the following provisions shall constitute a reciprocal arrangement with the Government of the Republic of the United States of America.

[For text of arrangement, see U.S. note, above.]

The present note and Your Excellency's communication, of today's date, drafted in similar terms, shall be considered as confirming between the two Governments an arrangement effected for the operation of trans-Atlantic air transportation services which shall enter into effect on August 15, 1939.

Please accept, Mr. Ambassador, the assurances of my highest consideration.

For the Minister of Foreign Affairs
and by delegation
the Ambassador of France
Secretary General
ALEXIS LÉGER

His Excellency
WILLIAM C. BULLITT,
Ambassador of the United States of America,
Paris.